

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SHAKLA JOSEPH,

1:05-cv-00184-AWI-SMS-P

Plaintiff,

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS** (Doc. 16)

vs.

J.S. WOODFORD, et al.,

**ORDER DISMISSING CERTAIN
CLAIMS AND DEFENDANTS**

Defendants.

Plaintiff Shakla Joseph ("plaintiff"), a state prisoner proceeding pro se and in forma pauperis, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 72-302.

On June 16, 2006, the Magistrate Judge filed a Findings and Recommendations herein which was served on plaintiff and which contained notice to plaintiff that any objection to the Findings and Recommendations was to be filed within thirty days. To date, plaintiff has not filed an objection to the Magistrate Judge's Findings and Recommendations.

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1 In accordance with the provisions of 28 U.S.C. §
2 636(b)(1)(C) and Local Rule 73-305, this Court has conducted a de
3 novo review of this case. Having carefully reviewed the entire
4 file, the Court finds the Findings and Recommendations to be
5 supported by the record and by proper analysis.

6 Accordingly, IT IS HEREBY ORDERED that:

7 1. The Findings and Recommendations, filed June 16, 2006,
8 are ADOPTED IN FULL;

9 2. This action proceed on plaintiff's amended complaint,
10 filed December 7, 2005, against defendants Daviega, Pursell,
11 Hooker, Fulks, Anderson, Flore, and Adams on plaintiff's RLUIPA
12 claim;

13 3. Defendants Schwarzenegger, Woodford, and Hickman, and
14 the State of California, and the California Department of
15 Corrections and Rehabilitation to the extent they are defendants,
16 are DISMISSED from this action on the ground that they are not
17 persons within the meaning of section 1983; and,

18 4. Plaintiff's claims for declaratory relief and an
19 injunction prohibiting enforcement of the grooming regulation are
20 DISMISSED as MOOT.

21
22 IT IS SO ORDERED.

23 **Dated: September 16, 2006**
24 0m8i78

/s/ Anthony W. Ishii
UNITED STATES DISTRICT JUDGE